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To: 'microsoft.atr(a)usdoj.gov'
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Subject: Microsoft Settlement

There are many problems I see that the proposed settlement does not cover that I believe are of the utmost importance. I would like to point out one that has plagued me.

I develop software for internal use for Case Western Reserve University's School of Management. I enjoy using the Microsoft product Visual C++. However, I am prevented from doing so because of the End User License Agreement for Visual C++. In the EULA, it states:

"You may reproduce and distribute ... the Redistributable Components... provided that (a) you distribute the Redistributable Components only in conjunction with and as a part of your Application solely for use with a Microsoft Operating System Product"

Therefore, I cannot use it because I am forced into only deploying the software on MS operating systems and the faculty, staff, and students who use non-MS operating systems (MacOS X, MacOS 9.x, a Linux distribution, a BSD distribution, etc.) would not be able to use it.

Additionally, there are other clauses in MS's EULA's like the one in Frontpage (the web site editor) that disallows you from using it if you create web sites that may say negative notions about Microsoft.

And, then, of course, there are all the 3rd party software vendors who depend on interoperability with Windows -- these vendors need more open API's to compete with their MS competitive counterparts.

I just hope that everything undergoes a more thorough review before a settlement is reached. A review that involved a heavy edit to the current proposed settlement.

Thank You,
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